

REMARKS

No claims have been amended or cancelled, and no new claims have been added. Claims 1-27 were earlier withdrawn. Claims 28-44 are pending.

Claim Rejections - 35 USC § 103

A. Rejection of Claims 36-37 and 39-40 Citing Tuomenoksa and Ahlard

The Examiner rejected claims 36-37 and 39-40 under 35 USC § 103(a) as obvious from Tuomenoksa (US7181542) in view of Ahlard (US7461157). This rejection is respectfully traversed.

Ahlard discloses a system for relaying messages to all clients in an emulated local area network. One portion of Ahlard cited in the Office Action states that “VPN clients may be implemented as drivers”. (Ahlard, 4:14-16) Another portion of Ahlard cited in the Office Action discloses the actions of an end user client, a VPN server and a VPN client during the establishment of user access to VPN services. (Ahlard, 5:55–64) This portion of Ahlard describes a hand off of the end user client from the VPN server to the VPN client after initialization of the end user client is finished. (Ahlard, 5:65 – 6:3) This portion of Ahlard describes how the VPN client may request and obtain configuration data from the VPN server. (Ahlard, 6:3-10) Another portion of Ahlard cited in the Office Action discloses handshaking sequences that are used to establish a session between the end user client and the VPN server as part of the transition of the end user client from the VPN server to the VPN client. (Ahlard, 6:37-48)

Based on the disclosure of Ahlard as cited in the Office Action, Ahlard does not teach what it is cited for.

The Office Action states that the following limitations are disclosed in Ahlard.

the second computing device processing a start request to establish a communication channel to the first computing device on a first network through the network device

the second computing device receiving a mirror request from the first computing device over the communication channel on the first network, the mirror request specifying the network device

the second computing device sending a request granted packet to the first computing device over the communication channel

However, as set forth in the above paragraph, the cited portions of Ahlard do not disclose the claimed limitations. The cited portions of Ahlard involve the communication between a VPN server and a VPN client and between an end user client and the VPN server. The claim recites actions by a second computing device involving a first computing device. The Office Action fails to state which of Ahlard's VPN client, VPN server and end user client are asserted for the actions performed by the second computing device. Clarification and a new non-final Office Action are hereby requested.

Further, the Office Action fails to explain which element of Ahlard discloses the claimed start request, claimed mirror request and claimed request granted packet. It is unclear what, if any, disclosure in Ahlard corresponds to the claimed start request, claimed mirror request and claimed request granted packet. We assert that Ahlard fails to disclose the mirror request. As such, claims 36 is patentable over the combination of Ahlard and Tuomenoksa. In the alternative, clarification and a new non-final Office Action are hereby requested.

In view of the above, we assert that claim 36 and all claims depending thereon are patentable over the combination of Ahlard and Tuomenoksa.

B. Rejection of Claims 42-44 Citing Tuomenoksa, Ahlard and examiner's official notice

The Office Action rejected claims 42-44 under 35 USC § 103(a) as obvious from Tuomenoksa in view of Ahlard in further view of examiner's official notice. This rejection is respectfully traversed.

The Office Action states that the following limitations are disclosed in Ahlard.

the network card processing a start request to establish a communication channel to a computing device on a first network through a network device included in the network card

the network card receiving a mirror request from the computing device over the communication channel on the first network, the mirror request specifying the network device

the network card sending a request granted packet to the computing device over the communication channel

However, as set forth above regarding claim 36, the cited portions of Ahlard do not disclose the claimed limitations. The cited portions of Ahlard involve the communication between a VPN server and a VPN client and between an end user client and the VPN server. The claim recites actions by a network card involving a computing device. The Office Action fails to state which of Ahlard's VPN client, VPN server and end user client are asserted for the actions performed by the network card. Clarification and a new non-final Office Action are hereby requested.

Further, the Office Action fails to explain which element of Ahlard discloses the claimed start request, claimed mirror request, and claimed request granted packet. It is unclear what, if any, disclosure in Ahlard corresponds to the claimed start request, claimed mirror request and claimed request granted packet. We assert that Ahlard fails to disclose the mirror request. As such, claim 42 is patentable over the combination of Ahlard Tuomenoksa, and official notice. In the alternative, clarification and a new non-final Office Action are hereby requested.

In view of the above, we assert that claim 42 and all claims depending thereon are patentable over the combination of Ahlard, Tuomenoksa, and official notice.

C. Rejection of Claims 28-35 Citing Tuomenoksa, Ahlard and Aysan

The Examiner rejected claims 28-35 under 35 USC § 103(a) as obvious from Tuomenoksa in view of Ahlard in further view of Aysan (US7379465). This rejection is respectfully traversed.

The Office Action states that the following limitations performed by a second computing device recited in claims 28 and 32 are disclosed in Ahlard.

processing a start request to establish a communication channel to the first computing device on a first network through the network device

receiving a mirror request from the first computing device over the communication channel on the first network, the mirror request specifying the network device

sending a request granted packet to the first computing device over the communication channel

However, as set forth above regarding claim 36, the cited portions of Ahlard do not disclose the claimed limitations. The cited portions of Ahlard involve the communication between a VPN server and a VPN client and between an end user client and the VPN server. The claim recites actions by a second computing device involving a first computing device. The Office Action fails to state which of Ahlard's VPN client, VPN server and end user client are asserted for the actions performed by the second computing device. Clarification and a new non-final Office Action are hereby requested.

Further, the Office Action fails to explain which elements of Ahlard discloses the claimed start request, claimed mirror request and claimed request granted packet. It is unclear what, if any, disclosure in Ahlard corresponds to the claimed start request, claimed mirror request and claimed request granted packet. We assert that Ahlard fails to disclose the mirror request. As such, claim 28 and 32 are patentable over the combination of Ahlard, Tuomenoksa, and Aysan. In the alternative, clarification and a new non-final Office Action are hereby requested.

In addition, the Office Action states that “Tuomenoksa does not explicitly indicate that the incoming packets are addressed to the network device as a destination or the outgoing data packets requests include packet assembly parameters”. (p. 10 of the Office Action) The Office Action asserts that Aysan discloses these limitations.

The pertinent limitations are shown emphasized as recited in claims 28 and 32.

forwarding to the first computing device via the communication channel incoming data units received by the specified network interface over the second network, **the incoming data units specifying the first network device as a destination**

receiving from the first computing device via the communication channel outgoing data unit requests to send outgoing data units onto the second network via the specified network interface, **the outgoing data unit requests including packet assembly parameters.**

The Office Action asserts that two locations in Aysan disclose these limitations. However, the first cited portion of Aysan discloses that a tunnel has two addresses, one private and the other public, with the private address residing on a virtual router while the public address resides on a real router. (Aysan, 7:48-54) The second portion of Aysan discloses the routing of a packet via a virtual router. (Aysan, 8:28-49) Specifically, this second portion of Aysan discloses a local interface receiving a packet, examining the header, reading the destination address, looking up the remote interface for the destination address, looking up the address of the remote interface, and further actions. There is nothing in the cited portions of Aysan that discloses “the outgoing data unit requests including packet assembly parameters”. More generally, there is nothing in the cited portions that disclose an outgoing data unit request. Only outgoing data units are disclosed, not outgoing data unit requests. Because none of the cited references disclose the claimed packet assembly parameters, claims 28 and 32 are patentable over the cited references.

In view of the above, we assert that claims 28 and 32, and all claims depending thereon, are patentable over the combination of Ahlard, Tuomenoksa, and Aysan.

Disclaimers Relating to Claim Interpretation and Prosecution History Estoppel

The claims of this application are intended to stand on their own and are not to be read in light of the prosecution history of any related or unrelated patent or patent application. Furthermore, no arguments in any prosecution history relate to any claim in this application, except for arguments specifically directed to the claim.

Additional Statements

The Examiner's consideration of the references of record is appreciated. It is presumed that the Examiner has considered the entire disclosure of each of the references of record with respect to anticipation (individually) and obviousness (in any combination).

References to "Applicant" herein are to the assignee of record, which the undersigned represents. An assignment has been recorded, and a Statement of Ownership and General Power of Attorney have also been filed. Thus, the rights of the original Applicants/inventors have been excluded.

With respect to this filing, the Commissioner is hereby authorized to charge any fees which may be required, or credit any overpayment to Deposit Account No. 503456. Please consider this response to be a petition for extension of time, if necessary.

Conclusion

It is submitted, however, that the independent and dependent claims include other significant and substantial recitations which are not disclosed in the cited references. Thus, the claims are also patentable for additional reasons. However, for economy the additional grounds for patentability are not set forth here.

In view of all of the above, it is respectfully submitted that the present application is now in condition for allowance. Reconsideration and reexamination are respectfully requested and allowance at an early date is solicited.

The Examiner is invited to call the undersigned registered practitioner to answer any questions or to discuss steps necessary for placing the application in condition for allowance.

Respectfully submitted,



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Date: July 23, 2009

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